

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Martin Palomo-Rojas

Case Number:

M-22-1762-M

YOB: 1989 COB: Mexico

United States District Court
Southern District of Texas
FILED

SEP 02 2022

Nathan Ochsner, Clerk

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

On or about September 1, 2022 in Hidalgo County, in the
Southern District of Texas

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Orlin Edgardo Orellana, a citizen and national of Honduras, and Jose Pepe Torres-Zamorano, a citizen and national of Mexico, along with three (3) other undocumented aliens, for a total of five (5), who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Mission, Texas to the point of arrest near Mission, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONYI further state that I am a U.S. Border Patrol Agent and that this complaint is based on the following facts:

On September 1, 2022, a Border Patrol camera operator observed several people board a maroon Dodge Durango near the Rio Grande River in Mission, Texas. The camera operator relayed his observations and the Durango's direction of travel to agents. Nearby agents responded and located the Durango. As agents attempted to investigate the Durango, the Durango suddenly turned around and traveled back to the pick-up location where it came to a stop. Agents subsequently observed several people exiting the Durango attempting to flee. Agents located a total of six (6) people, including the driver, Martin Palomo-Rojas, who were all determined to be illegally present in the United States.

Palomo and the five (5) undocumented aliens were placed under arrest and transported to the McAllen Border Patrol Station for processing.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Complaint authorized by AUSA M. Phelps

Submitted by reliable electronic means, sworn to and attested
telephonically per Fed. R. Cr.P.4.1, and probable cause found on:

/s/ Jon M. Chan

Signature of Complainant

Jon M. Chan Border Patrol Agent

Printed Name of Complainant

September 2, 2022
Date

-2:38 P.M.

at

McAllen, Texas
City and StateJuan F. Alanis
Name and Title of Judicial Officer

, U. S. Magistrate Judge

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-22- 1762 -M

RE: Martin Palomo-Rojas
CONTINUATION:

Principal Sworn Statement

Martin Palomo-Rojas, a citizen of Mexico, was advised of his Miranda Rights, stated he understood his Rights, and agreed to provide a statement.

Palomo crossed the Rio Grande River with a group of eight (8) people, including the foot guide. Palomo claimed he was not going to pay a smuggling fee but was instructed, by the foot guide, to drive a maroon Sport Utility Vehicle (SUV). After boarding and departing the area in the maroon SUV, Palomo stated he observed Border Patrol. Fearing he would be caught, Palomo traveled back towards the river where everyone exited and ran.

Material Witness 1 Statement

Orlin Edgardo Orellana, a citizen of Honduras, was advised of his Miranda Rights, stated he understood his Rights, and agreed to provide a statement.

Orellana claimed he made his smuggling arrangements and has paid \$6,000 to be smuggled to Houston, Texas. Orellana crossed the Rio Grande River with seven (7) other people and was instructed by a foot guide to board a red SUV. Shortly after boarding the vehicle, Orellana stated the driver began to drive fast and heard someone instruct the driver, over a cellphone, to drive the SUV into the river.

Orellana identified Martin Palomo-Rojas, through a photo lineup, as the driver of the vehicle he was being transported in.

Material Witness 2 Statement

Jose Pepe Torres-Zamorano, a citizen of Mexico, was advised of his Miranda Rights, stated he understood his Rights, and agreed to provide a statement.

Torres claimed he did not know how much he was going to be charged to be smuggled into the United States. Torres crossed the Rio Grande River in a raft and subsequently boarded a red vehicle with six (6) other people. Shortly after departing the area, Torres indicated they exited the vehicle and were apprehended by Border Patrol.